

THE OLD GUARD,

A MONTHLY JOURNAL, DEVOTED TO THE PRINCIPLES OF 1776 AND 1787.

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PRINCIPLES OF THE CHICAGO CONVENTION.

SAID the Emperor of the French, on a recent occasion, "the empire is peace." We borrow the expression, and say, the Democracy is peace. Peace, and not war. The man who says otherwise either does not know the Democracy, or is unable to tell the truth. Those who are denominated "Peace Democrats" are, in the whole party, as ninety-five to a hundred. Any man who was at the Chicago Convention, possessing sufficient *status* in the party to learn the sentiments of the delegates, knows this to be so. Not only did the Convention understand the platform to be peace, but the delegates were made to believe that the nominees were so too. On no other condition could they have received the nomination. Never. When this election is over the Democracy will speak again—speak plainly, so plainly and determinedly that there shall be no misunderstanding it—and nail its flag of peace so high on the mast that no one will dare to call himself a Democrat who is for a further prosecution of this unjust and unnatural war. So fixed was the Democracy in the late Convention, in the determi-

nation that its nominees should be, like its platform, for *peace*, that it passed a cautiously worded resolution that the nominees be requested to "accept the nomination *on the platform of principles laid down by the Convention.*"

By this resolution, any other kind of an acceptance than that on the platform of principles laid down in the resolution, is not an acceptance of the nomination within the meaning of the Convention. THE OLD GUARD is the organ not of men but of principles and therefore the public has a right to expect plainly spoken truth in its pages. In this respect the public shall not be disappointed. We can make no compromise with falsehood and deception; nor with political error or political crime. We claim jurisdiction over no man's conscience, and allow no man to assert such a thing over ours; but we do claim the right, as a journalist, to deal fairly and truly with the public. One of the demoralizations of the hour is the subserviency of journalism to popular delusion and wrong. A venal, or a cowardly press, is the curse of any people. There was a time when almost every Demo

cratic press in the country was a bold and faithful organ of those great and saving principles of government, which established the Union, and conducted it to the place of renown which it had reached when it fell into the hands of faction and fanaticism. We look hopeful to a time when the Democratic press shall again be the faithful and uncompromising organ of those same grand principles. That will be the day of regeneration—of salvation. Then politicians will no longer dare to use the people like baubles. Then the people will use the politicians either to do their will, or to fill those quiet nooks in the temple of oblivion where so many shallow demagogues already rest from their selfish labors. Whatever the marplots of war may say to the contrary, the thoughts, the determination of the Democracy is *peace*. *Peace*, not *through* war, for that is the peace of eternal disunion and destruction ; but *peace out of war*, and as far away from it as reason and justice are from brute force and despotism. Democracy is based upon principles which make the war both a mistake and a crime. The manner of conducting the war is, comparatively, of little moment, only the dust and dirt on the wheel of juggernaut. The *war* itself is the great wrong—is juggernaut—is the thing to be put down and stopped, as the destroyer, not only of this people, but of the foundation principles of the Republic. That is the belief of the Democracy. Some who have renounced Democracy have, like Daniel S. Dickinson, gone over to Lincoln ; others, who have equally renounced Democracy, still insist on training in its name and wearing its livery—like a strumpet wife, who

flaunts about in her husband's name after she has disgraced and defiled his home. Of the two, the apostate Democrat who boldly takes Lincoln's name is most to be respected. We speak this truth, because it is the mission of this journal to keep the true principles of Democracy from falling out of sight, and perishing in the whirlpool of delusion and blood. The genuine principles of Democracy in relation to present issues, are tolerably well put forth in the following document, which was, in pamphlet form, put into the hands of almost every delegate at Chicago. More than two-thirds of the delegates were directly questioned in the matter, and not one of all the number dissented from it. On the contrary, it received their hearty commendation. It may be considered as an expression of the real mind of the Convention :

The Democratic Party of the United States, by their Delegates in General Convention Assembled, at the City of Chicago, in the State of Illinois, in accordance with our time-honored custom and practice :

DO PROCLAIM AND DECLARE the following as some of our principles, and such as are necessary to be observed for the well-being of the people of the United States, and for the restoration and preservation of the Constitution and Union made by our fathers, now so fearfully endangered :

We hold that the Constitution of the United States is the only bond of Union between the States ; that it was formed by delegates appointed by sovereign States, or elected by the people thereof ; that its ratification and adoption was had and made by the States,

each for itself, and both in the making and adoption of the Constitution, each State acted as a sovereign and independent power.

That Government, created by the Constitution of the United States, was intended to be, and was made, one of limited powers—being supreme over the States, only, in those things expressly entrusted to its care and control.

That in all matters pertaining to Government property, and control of the people, where power over the same was not expressly granted by the States to the Government of the United States by the Constitution, the power was reserved to the several States, or to the people thereof.

That the Constitution, providing for the admission of new States into the Union, placed them, when so admitted, on the same footing, and in the same condition as regarded the Government of the United States, as the original States held at the adoption of the Constitution, and have held since its adoption.

That the theory of the Union as made by the Constitution, is clear in this: that no powers belong to the Government of the United States, except such as are plainly set down in the Constitution; and no laws can rightfully be made by that Government, except such as are necessary to the carrying out of the powers granted.

We declare, that it never was given to the United States to say who should or should not be eligible to hold State offices, or to be voters in the States, nor to regulate titles or rights of property therein; nor to provide how, or in what way, courts of justice should

be held or organized, or justice administered therein, except to secure the right of trial by jury in certain cases, and the right of an accused to be tried by fixed forms of law.

Nor to provide ways and means for making contracts touching the different relations in life, change and transmission of property from one to another, nor to say who should be able to contract or be contracted with; nor of declaring what is or is not property, nor what rights shall exist therein, except in the cases of copyrights and inventions.

Nor the right to declare crimes and punishments, except for the infraction of the laws of the United States, made to carry out the powers granted to them by the Constitution.

In fine, the States reserved to themselves, severally, all rights over persons and property within their limits, not specially granted to the United States, or, in the language of the present President of the United States, "the right of each State to order and control its own domestic institutions, according to its own judgment exclusively, is essential to the balance of power, on which the perfection and endurance of our political fabric depends."

We declare that any and every effort, whether by civil or military rule, to exercise powers not given by the Constitution, or laws made in pursuance thereof, by the officers and agents of the United States, is a violation of the bond of Union.

That any and all efforts by Congress, the executive, or any party in the United States, organized for political or other purposes, which have been made heretofore, to interfere with the

right of the States to control their own domestic institutions in their own way, have been violations of the Constitution and the true principles on which our Government is founded, and subversive of the peace and good order thereof.

That the President has no power to admit new States, in peace or war, nor is it given to him, by any authority of the Constitution, to impose restrictions on States, by way of punishment or pardon; and every attempt by the Executive in the conducting of the present civil war so to act upon citizens, by force or by pardon, as to induce or compel a change of the Constitution of the State to which citizens belong, is as clearly the exercise of despotic power as any unconstitutional act can be—such acts, if carried out, are as much punishment upon the innocent as upon the guilty.

That, if secession or revolution is put down by the power of the Government, the States, whose people attempted to secede, must remain precisely in all political power, the same as before the attempt was made, and if secession should be recognized as a principle, or be accepted as a fact, such States should thus be out of the Union could only be readmitted, under the Constitution, into the Union, upon the same principle of State rights, as if they were new States, and for the first time admitted therein.

We declare that Congress has no power under the Constitution to suspend, or prepare for suspending the writ of *habeas corpus*, except when in the case of rebellion or invasion the public safety may require it; and any and every enactment which attempts to continue the suspension after the

cause for it has ceased, is a violation of the Constitution.

That any and every arrest of citizens, or other persons, by the President, or any other officer, or agent of the United States, civil or military, while the writ of *habeas corpus* is suspended, is properly the subject of inquiry by the civil tribunals of the country, and the just subject of punishment; and no power exists anywhere to deprive a citizen, or other person, whose person or property has been so violated, from seeking and obtaining full redress in the courts of justice.

That any and every attempt by Congress to exonerate public officers, or agents from responsibility for the wrongs they wantonly inflict on the people, is a violation of the Constitution of the United States, as well as an outrage upon human rights.

That the true and only test of loyalty is obedience to the Constitution and laws made in pursuance thereof. That as the Constitution has given no power anywhere, but has expressly forbidden Congress to pass any laws to abridge the freedom of speech and the press, or prevent the people from assembling together to consider and petition the Government for a redress of grievances; those officers and agents of the United States who have been arresting citizens for exercising these plain Constitutional rights, and imprisoning them for disloyalty by reason thereof, are themselves disloyal and traitors to the Constitution they were sworn to support.

That we never can consent to the absurd idea that the President of the United States, or any of his subordinates, military or civil, can by declar-

ing martial law, suspend or set aside the Constitution and laws of the land in places where there are no hostile obstructions to the full enforcement of the laws. And every effort by the military to hinder or obstruct the enforcement of the civil authority where it can be enforced, is the exercise of despotic power.

For the safety of human liberty, we prefer to trust the civil, rather than any military rule.

We further declare that the Constitution of the United States provides peaceable remedies for correcting such abuses as the agents and officers of the United States may commit against the States or people, and for correcting wrongs which may be done or attempted by the officers and agents of the States against the United States, or against the people of the States.

Some may be corrected by the Executives of the States, or Executive of the United States, some by Congress or by the Legislatures, some by the Courts of Justice, and all by refusing to re-elect or appoint to offices those who have done the wrongs or those having the power, and refusing to correct the abuses, and by putting better agents in their places. There are also the remedies by appeals to the Congress and Legislatures, and also to the people to make amendments to the Constitution of the United States.

Should all these peaceful remedies fail after fair trials, owing to the power of a usurping and oppressive majority, then we hold the rights reserved to the States and people thereof by the Constitution of the United States; can and ought to be used for the protection of the States.

Amongst these rights is that of self-

preservation; of self-defence. Just as broad as the rights of self-defence to an individual, which no power on earth can justly take away, or individual surrender to the government or any part thereof. Under this right the State may protect its sovereignty, its property, and its people, against the United States or any other power attempting to enslave or destroy the people, their property, or the State.

We here declare that as lovers of the Union, made by the fathers, we will never consent to yield to the government of the United States any further power to control or regulate persons or property within the States, than such as was given by the Constitution as it is.

We deem the powers granted to the government of the United States, ample if faithfully carried out, for all the necessary purposes for which the Union was formed; and we are not willing to alter them by enlarging or abridging them.

We declare that the people of the so-called Southern Confederacy, did themselves, and their friends in the other States, great and grievous wrong in attempting to dissolve the Union. Had their Congressmen remained at their posts, they, with the aid of those opposed to the party in power, might have preserved the Union, and the mischief this sectional party has done, and all the horrors of a civil war of over three years duration might have been prevented.

We declare it as the judgment of the Democratic party, as it appears to be the judgment of the civilized world, that the present war ought never to have been begun; that its continuance is destructive not only to the in

terests of the people of both sections of the United States, but to the christianity and civilization of the day ; and endangers the peace of other nations, whose business relations have been and are closely connected with those of the people of all the American States.

The continuance of the war, in our judgment, can work out but one of two conclusions, *separation* or *subjugation*. To both of those we are opposed. We prefer any and all compromises which will bring us back to the government made by our fathers, and the faithful performance of all duties under it.

We were a great and prosperous people, a mighty nation, the pride and glory of the lovers of Constitutional liberty everywhere on the face of the earth. We were made such under the guidance of statesmen and patriots, who, while members of parties, always loved their country, their Constitution and the Union, better than they loved their party.

The Democratic party was mainly instrumental in conducting the nation to the high position it had attained, before the party now in power obtained the ascendant, by adhering to a strict construction of the Constitution of the United States, and by obeying its requirements, regardless of the clamors of the bigots and fanatics, and by enforcing obedience to the laws made to protect the persons and pro-

perty of the citizens of one State, when in the limits or jurisdiction of another State.

When the Democratic party are put into power again, there will be peace in the whole land, an honorable peace between the people of all the States.

We here declare that we are for peace, and want all the people of the earth to know it ; we want no more shedding of fraternal blood, no more destruction of property ; no more sacking of cities, towns and villages ; no more rapine and plunder ; these fiendish practices can make no peace, restore no fraternal ties, restore no Union.

We want no more widows and orphans, no more maimed, halt and blind ; no more assessors, taxes, and tax gatherers ; no more greenbacks, 5-20's or 10-40's.

We want bread and meat, raiment and apparel, at the old Democratic peace prices ; we want free speech, the right to read such newspapers as we please, and not to be restricted by men made great only by shoulder straps and bayonets.

We want respect by the military to the civil power. We want no more "running of the churches" by the military ; and both in and out of church we want to hear the voices of all good men, everywhere, crying : " peace on earth and good will to all mankind."

M'CLELLAN AND LINCOLN.

WHICH shall we have? It is needless to say that neither was our choice for the nomination. Our objections to General McClellan's nomination were plainly stated in the August number of *THE OLD GUARD*. We see no occasion to modify or change the opinions there uttered. As a man, as a citizen, and as a General, we entertain the highest respect for General McClellan. We have no doubt of the entire sincerity of his opinions; nor do we less doubt that these opinions are not at all in agreement with the principles entertained by the Democracy from the days of Jefferson and Madison to the present time. On the questions involved in the issues before the country, the Democratic party has a clean and unbroken record. It has ever, in all campaigns, stood firmly upon the Virginia and Kentucky Resolutions of 1798. Indeed the party was organized, in the first place, by Jefferson and Madison, on the basis of those resolutions, to beat back the accumulating despotism involved in the centralization schemes of the Federalists under the administration of John Adams.

The third clause of the Virginia Resolutions, which were drawn by Mr. Madison, who is justly called the father of the Constitution, reads as follows:

"This Assembly doth explicitly and pre-emptorily declare, that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact,

as no farther valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact, the States who are parties thereto have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties appertaining to them."

This resolution has a thousand times been affirmed and re-affirmed as the creed of Democracy. Indeed never, from 1798 to 1861, had there been any dispute on this question. No man, calling himself a Democrat, ever denied it. No Convention, calling itself Democratic, ever occupied any other ground. It has been as much the creed of the Democracy as the New Testament has been the creed of Christians. Indeed to deny the sentiments of this resolution was, and is to renounce Democracy; for, as we have said, the party was formed for the very purpose of establishing these sentiments in opposition to the centralizing despotism of Federalism.

In Mr. Madison's report to the Virginia House of Delegates, at the session of 1800, he said:

"The States, then, being the parties to the Constitutional compact, and in their sovereign capacity, it follows of necessity that there can be no tribunal above their authority, to decide, in the last resort, whether the compact made by them be violated; and consequently, that as the parties to it, they must themselves decide, in the last resort, such questions as may be of sufficient magnitude to require their interposition."

Mr. Madison's reasoning is conclusive. The Federal Government is not even a party to the compact. It is the dependent recipient of certain defined powers resulting from the compact, and "granted" by the States. The States alone, as so many distinct sovereignties, are the parties to the compact of Union. These alone are sovereign—just as sovereign after the compact as before the compact was made. This, we repeat, is and has been the creed of Democracy ever since the foundation of the party by those immortal statesmen, one of whom was the author of the Declaration of Independence, and the other the father of the Constitution.

Gen. McClellan's address at West Point, and his letter of acceptance, are proofs that he entertains a very different theory of our government. Unless he is very unfortunate in the use of language to express his ideas, he adopts the delusive theory of the old "Federalists," that the States are subjects of the Federal Government, and to be held in subjection by the force of federal bayonets, just as an Austrian or a Russian colony is held in subjection; or just as England attempted to hold these colonies in subjection. This theory divests the States of every attribute of sovereignty, and renders every one of the State Constitutions a ridiculous farce or a pernicious fraud. This is Lincoln's theory. Only on this monstrous ground can this war be continued an hour. Adopt the doctrines of the fathers who formed the Federal Constitution, or of the Democracy, which ever stood upon the principles of that Constitution, and you can no more mix in this war upon sovereign States than you can imbrue

your hands in the blood of your neighbors. Stand upon these principles of our fathers, and your quarrel is not with the manner of conducting the war, but with the war itself. That is the great crime which is to be arrested and punished, as something contraband, not only of justice, but of the fundamental principles of our government. On these cardinal points it is certain that Gen. McClellan does not stand with Democracy. He differs with Mr. Lincoln only as to the manner of conducting the war. The kernel of their principles is the same. It is that of old Federalism, which true Democracy ever repudiates.

But, nevertheless, it is true that McClellan is not to be confounded with Lincoln in this war. Though they both adopt essentially the same theory of our government, they differ as widely as heaven and hell from each other in their moral and military modes of supporting that theory. McClellan is for adhering scrupulously to the rules of civilized warfare. Lincoln is for practicing to the extremest limits the brutal customs of savage warfare. McClellan is a Christian and a gentleman. Lincoln is a barbarian and a buffoon. McClellan is humane and tolerant in all his instincts and rules of action. Lincoln is infernal and implacable in every feeling and purpose. The difference between them may be defined to be precisely that between a human being and a fiend; for Lincoln is an *infernal*. His face is a faithful chart of his soul; and his face is that of a demon, cunning, obscene, treacherous, lying and devilish. Gen. McClellan is the reverse of all this. Not the reverse from any subtle and studied policy, but from natural instinct

and cultivated modes of thought. It would seem that no man, of any pretensions to moral character, could long hesitate which of the two to choose. Lincoln has disgraced and demoralized the nation. If elected, we are certain that Gen. McClellan's administration would restore the public morals up to something like their former standard of good order and respectability. He would save us from anarchy and from further revolution. He would restore public peace upon a basis of public virtue. We believe all this; but still, a sacred regard for the principles of the Constitution, and an earnest sense of duty, as a public journalist, compel us to say that he does not represent the political doctrines of the Democratic party. We believe that he does not himself pretend to. He is the candidate of all parties who wish to displace the anarchists and despots who now rule over us. The virtuous sentiment of opposition to Lincoln has united upon him. He is the standard-bearer of the hopes of all who wish to rid the land of the scourge of Lincoln's rule. He is that rather than the standard-bearer of the principles of Democracy. Under the circumstances of the hour, perhaps it is best for the Democratic party that it should not assume the entire responsibility of settling the bloody antagonisms created by the present administration. The papers which seem to speak for General McClellan flatly assume that "*he has made his own platform.*" Very well; that, we confess, is an infinite improvement on Lincoln's platform. Although it may not be Democratic, yet we may accept him as something which may open the way for an ultimate re-establishment of the submerged prin-

ciples of Democracy. Perhaps through his administration the people may step back from the abominations of Lincolnism, from centralized despotism, to the perfect self-government of Democracy. Between Judaism and Christianity there was a little space, occupied by John the Baptist, who was not the Prince of Peace, but his "forerunner." He was a voice crying in the wilderness, preparing the way for the Prince of Peace. There were in those days some who murmured that the Prince of Peace did not himself appear at once, and who would not receive the forerunner, who came to prepare his way. They were not wise. If Gen. McClellan is not the standard-bearer of Peace, may he not be its John the Baptist? May we not hail him as the voice of one crying in the wilderness of anarchy and error, preparing the way, and making straight the paths of the ancient peace and glory of Democracy? We cannot accept him as the true Messiah of Democracy, but we gladly receive him as its forerunner. He comes to crush the serpent's head—to drive Satan out of Eden. Then we may enter in and dwell there in *peace* and union, as our fathers did. This is our hope—and this is the only ground on which the true Democrat can give his support to Gen. McClellan. On this ground may not the true Democrat support him heartily? It is certain that if the Peace Democracy, which is really *the* Democracy, withholds its support, he cannot be elected. What Democrat can assume the responsibility of Lincoln's re-election? What friend of his country does not prefer the administration of even erring human beings to the domination of fiends? The government is in the hands of fiends—cast them into outer darkness.

THE ALIEN AND SEDITION LAWS, AND THE ACTS OF VIRGINIA IN OPPOSITION TO THEM.

As a matter of especial interest, and for reference, we give below a correct copy of the old Alien and Sedition Laws, passed under the administration of John Adams. These laws were a part of the plan of the Federalists to revolutionize the government of the United States by centralizing the powers which the States had reserved to themselves, in the Federal Government. The foreigners who were at that time in the country had fled to these shores from European despotisms, and very naturally favored the Democratic, or, as it was then called, the Republican party, which was, under the leadership of Mr. Jefferson, the opposition to the Federalists. Hence the anxiety of the Federalists to banish all such from the land.

The additional Act to punish persons for speaking or publishing any thing in opposition to the President and other officials of the Federal Administration, was aimed at the Democrats. Many Democratic citizens and editors were imprisoned for denouncing the Administration of Mr. Adams. Freedom of speech and press these embryo despots denominated "opposing the government." These laws were the destruction of the Federal party, which was swept from power in disgrace by a general uprising of the people at the next Presidential election. But, odious and detestable as the laws were, it will be seen that they fall far short of the despotic practices of the present Administration.

Had the Federalists, under John Adams, attempted to commit such deeds of tyranny as the Abolitionists under Lincoln have done, the whole Federal party would have been massacred by the outraged Republicans of that day. The people had just come out of the noble struggle of Independence, with all the love of freedom fresh upon their hearts, and they naturally and wisely made quick work of sweeping from power the new born despotism. They buried it so deep that for more than sixty years it lay quiet in its grave. Now, under Lincoln, we have the same thing upon us, multiplied a hundred fold in outrageous tyranny.

We also publish some acts of the Virginia House of Delegates, against the unconstitutional and despotic acts of the Federalists. It will be seen that Virginia, which may be called the mother of the Union and the Federal Constitution, went so far as to put itself in a military position to protect its sovereignty by resisting the encroachments of the Federal Administration. The action of Virginia was vindicated by the people of the Union, who suddenly hurled the federal usurpers from power, and elected the Virginia leader President of the United States. These documents are of great interest now. They show the kind of remedy which the founders of the Union thought it their duty to employ, if necessary, against a usurping federal administration. The Sedition Laws were signed by Mr. Adams, in

July, 1798. In the following December and January, the Virginia House of Delegates passed the Acts for the protection of freedom of speech, and for the further arming of the State militia. We must not forget that these Acts were the inspiration of Jefferson and Madison, the fathers of the Declaration of Independence and of the Constitution :

“ALIEN AND SEDITION LAWS.

“AN ACT Concerning Aliens :

“SEC. 1. *Be it enacted, &c.,* That it shall be lawful for the President of the United States, at any time during the continuance of this Act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable ground to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order ; which order shall be served on such alien by delivering him a copy thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order ; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the Secretary of State, by the marshal or other person to whom the same shall be directed. And in case any alien, so ordered to depart, shall be found at large within the United States, after the time limited in such order for his departure, and not having obtained a license from the President to reside therein, or, having obtained such a license, shall not have conformed there-

to, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted,* that if any alien, so ordered to depart, shall prove to the satisfaction of the President, by evidence to be taken before such person or persons as the President shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States shall arise from suffering such alien to reside therein, the President may grant a license to such alien to remain within the United States for such time as he shall judge proper, and at such place as he shall designate. And the President may also require of such alien to enter into a bond to the United States in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorized by the President to take the same, conditioned for the good behavior of such alien during his residence in the United States, and not violating his license, which license the President may revoke whenever he shall think proper.

“SEC. 2. That it shall be lawful for the President of the United States, whenever he may deem it necessary for the public safety, to order to be moved out of the territory thereof any alien who may or shall be in prison in pursuance of this act ; and to cause to be arrested and sent out of the United States such of these aliens as shall have been ordered to depart therefrom, and shall not have obtained a license as aforesaid, in all cases where, in the opinion of the President, the public safety requires a speedy

removal. And if any alien, so removed or sent out of the United States by the President, shall voluntarily return thereto, unless by permission of the President of the United States, such alien, on conviction thereof, shall be imprisoned so long as, in the opinion of the President, the public safety may require.

"SEC. 3. That every master or commander of any ship or vessel which shall come into port of the United States, after the first day of July next, shall, immediately on his arrival, make report in writing to the Collector or other chief officer of the customs of such port, of all aliens, if any, on board of his vessel, specifying the names, age, the place of nativity, the country from which they shall have come, the nation to which they belong and owe allegiance, their occupation, and a description of their persons, as far as he shall be informed thereof; and on failure, every such master and commander shall forfeit and pay three hundred dollars; for the payment whereof, on default of such master or commander, such vessel shall also be holden, and may, by such Collector or officer of the Customs, be detained. And it shall be the duty of such Collector, or other officer of the Customs, forthwith to transmit to the office of the Department of State true copies of all such returns.

"SEC. 4. That the Circuit and District Courts of the United States shall, respectively, have cognizances of all crimes and offences against this Act. And all marshals and other officers of the United States are required to execute all precepts and orders of the President of the United States, issued in pursuance or by virtue of this Act.

"SEC. 5. That it shall be lawful for any alien who may be ordered to be removed from the United States, by virtue of this Act, to take with him such part of his goods, chattels, or other property, as he may find convenient; and all property left in the United States by any alien who may not be removed as aforesaid, shall be and remain subject to his order and disposal, in the same manner as if this act had not been passed.

"SEC. 6. That this act shall continue and be in force for and during the term of two years from the passing thereof."

[Approved: June 25, 1798.]

"AN ACT in addition to the Act entitled 'An Act for the punishment of certain crimes against the United States.'

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"SEC. 2. That if any person write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous, and malicious writing or writings, against the government of the United States, or either House of the Congress of the United States, or the President of the United States, with the intent to defame the said government, or either House of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute—or to excite against them, or either or any of them, the hatred of the good people of the United States—or to stir up sedition within the United States—or to excite any unlawful combination therein, for opposing or resisting

any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the Constitution of the United States, or to resist, oppose, or defeat any such law or act—or to aid, encourage, or abet, any hostile designs of any foreign nation against the United States, their people or government—then such person, being thereof convicted before any Court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

“SEC. 3. That if any person shall be prosecuted under this act for the writing or publishing any libel, as aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence, in his defense, the truth of the matter contained in the publication charged as a libel ; and the jury who shall try the cause shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

“SEC. 4. That this act shall continue and be in force until the third day of March, one thousand eight hundred and one, and no longer : *Provided*, That the expiration of the act shall not prevent or defeat a prosecution and punishment of any offense against the law during the time it shall be in force.”

Approved : July 14, 1798.

ACTS OF VIRGINIA.

“AN ACT to Preserve the Freedom of Speech, and Proceedings in the Legislature—Passed December 28, 1798.

“Whereas, Freedom of speech and

proceedings appertaineth of right to the General Assembly, and the preservation thereof is necessary to secure the liberty of the people :

“SEC. 1. Be it enacted, That if any person shall arrest or prosecute, or by aiding or abetting in arresting or prosecuting, a member or members of the Senate, or House of Delegates, for or on account of any words spoken or written, any proposition made, or proceedings had in the said Senate or House of Delegates, every such person so offending, shall be deemed guilty of a misdemeanor, and shall be apprehended, committed and tried therefor, as in other cases of misdemeanors, before the general court, or a district court of this commonwealth, and being thereof convicted by the verdict of a jury, shall be adjudged to suffer imprisonment for a term not exceeding one year, and shall pay a fine not exceeding two thousand dollars, which imprisonment and fine shall be assessed by a jury.

“SEC. 2. And be it further enacted, That if any member or members of the said Senate or House of Delegates shall be arrested and imprisoned for or on account of any words spoken or written, or for any propositions made or proceedings had in the said Senate or House of Delegates, such member or members may apply to the general court, or a district court, or any judge thereof in vacation, for a writ of habeas corpus, who are hereby empowered and required to issue the same, returnable before the said court, or said judge, or any other judge, and upon the return thereof to liberate and discharge such member or members.

“SEC. 3. And be it further enacted, That the provisions of this act shall be

extended to the arresting and prosecuting any person or persons for words spoken or written, or for any propositions made, or proceedings had in the said Senate or House of Delegates, and to the discharging and liberating any person or persons by habeas corpus as aforesaid, although said person or persons shall by this disqualification, or from any other causes have ceased to be a member of the said Senate or House of Delegates, at the time of such arrest or prosecution, or of the trial, judgment and imprisonment in consequence thereof; Provided, That nothing herein contained shall in any respect extend to the power which either house of the general assembly now hath, or may exercise over their respective members.

"SEC. 4. This act shall commence and be in force from and after the passage thereof."

"AN ACT to amend the act authorizing the Executive to procure Arms for the defense of the Commonwealth.

Passed January 18, 1799.

"SEC. 1. Be it enacted by the General Assembly, That in case the subsisting contracts for arms, under the act entitled 'An Act to Authorize the Executive to procure Arms for the Defense of the Commonwealth,' are not complied with according to their tenor, within the time allowed by the legislature, the executive be, and they are hereby required to apply the money appropriated to the fulfillment of those contracts to the purchase of other arms, wherever the same can be had.

"SEC. 2. And whereas, it may be thought necessary to distribute any arms which may be procured among the militia: Be it enacted, that so much

of any law as may require the executive to erect an arsenal or arsenals, shall be, and the same is hereby suspended until the next session of assembly.

"PROTEST:

"Prepared by Thomas Jefferson for the Legislature of Virginia. Dec., 1825.

"The Solemn Declaration and Protest of the Commonwealth of Virginia, on the Principles of the Constitution of the United States of America, and on the Violations of them.

"We, the General Assembly of Virginia, on behalf and in the name of the people thereof, do declare as follows:

"The States in North America which confederated to establish their independence on the government of Great Britain, of which Virginia was one, became, on that acquisition, free and independent States, and as such authorized to constitute governments, each for itself, in such form as it thought best.

"They entered into a *compact* (which is called the Constitution of the United States of America) by which they agreed to unite in a single government, as to their relations with each other, and with foreign nations, and as to certain other articles *particularly specified*. They retained, at the same time, each to itself, the other rights of independent governments, comprehending, mainly, their domestic interests.

"For the administration of their Federal branch, they agreed to appoint, in conjunction, a distinct set of functionaries, legislative, executive, and judiciary, in the manner settled in that compact, while to each, sev

rally, and of course, remained its original right of appointing each for itself, a separate set of functionaries, legislative, executive, and judiciary, also for administering the domestic branch of their respective governments.

“These two sets of officers, each independent of the other, constitutes thus a whole of government for each State separately; the powers ascribed to the one as specifically made federal, exercised over the whole; the residuary power retained to the other, exercisable exclusively over its particular States, foreign herein, each to the other, as they were before the original compact.

“To this construction of government and distribution of its power, the Commonwealth of Virginia does religiously and affectionately adhere, opposing with equal fidelity and firmness the usurpation of either set of functionaries on the rightful powers of the other.

“But the federal branch has assumed, in some cases, and claimed in others, a right of enlarging its own powers by constructions, inferences, and indefinite deductions from those directly given, which this Assembly does declare to be usurpations of the powers retained to the independent branches, mere interpolations into the compact, and direct infractions of it.

“They claim, for example, and have commenced the exercise of a right to construct roads, open canals, and effect other internal improvements within the territories and jurisdiction belonging exclusively to the several States, which this assembly does declare has not been given to that branch by the Constitutional compact, but remains

to each State among its domestic and unalienated powers, exercisable within itself and by its domestic authorities alone.

“This Assembly does further disavow and declare to be most false and unfounded, the doctrine that the compact, in authorizing its federal branch to lay and collect taxes, duties, imposts and excises, to pay all debts and provide for the common defense and general welfare of the United States, has given them thereby a power to do whatever *they may think or pretend* would promote the general welfare; which construction would make that, of itself, a complete government, without limitation of powers, but that the plain sense and obvious meaning was that they might levy taxes necessary to provide for the general welfare, *by the various acts of power therein specified* and delegated to them, and by no others.

“Nor is it admitted, as has been said, that the people of these States, by not investing their federal branch with the means of bettering their condition, have denied to themselves any which may affect that purpose, since, in the distribution of these means, they have given to that branch those which belong to its departments, and to the States have reserved, separately, the residue which belong to them separately. And thus by the organization of the two branches, taken together, have completely secured the first object of human association, the full improvement of their condition, and reserved to themselves all the faculties of multiplying their own blessings.

“Whilst the general assembly thus declares the rights sustained by the States, rights which they never have

yielded, and which the States never will voluntarily yield, they do not mean to raise the banner of disaffection, or of separation from their sister States, co-parties with themselves to this compact. They know and value too highly the blessing of their Union, as to foreign nations and questions arising among themselves, to consider every infraction to be met by actual resistance. They respect too

affectionately the opinions of those possessing the same rights, under the same instrument, to make every difference of construction a ground of immediate rupture. They would, indeed, consider such a rupture as among the greatest calamities which could befall them; but not the greatest. There is yet ONE GREATER—*submission to a government of unlimited powers.*"



THE REPUBLICAN RAVEN.

WRITTEN NOV. 7TH, 1861, AMID THE SHOUTINGS OF THE REPUBLICANS OVER THEIR
POLITICAL VICTORY.

I.

Hark, the shout of victory sounding
For our nation's coming woe!
Hark, the ravens' scream resounding!
Land of greatness, soon thou'lt know
Dark destruction's mortal throe.
Slaves of Satan, shout for gladness!
Now your Abolition madness
Brings our country's overthrow!
Horrid ravens—hellish ravens,
See ye not our overthrow?
Divided nation—as of yore
To be united—*nevermore!*

II.

Flap not thy dark wings above me;
Horrid raven, let me rest!
It needs not thy dark form to move me;
All my soul is now oppressed.
I have seen the deadly venom
Rankling in the eagle's breast;

Drops of blood are oozing out,
 I hear the Abolition shout—
 A victory won—our Union lost!
 Croaking ravens, count the cost;
 Divided nation—as of yore
 To be united—*nevermore!*

III.

Sewards, Greeleys, Beechers, Cheevers—
 All our nation's vile deceivers—
 Who have raised our country's pall,
 If I thought, in my deep sadness,
 Ye were honest in your madness,
 I could then forgive you all.
 But your words of import dire—
 Hells on hells of flaming fire—
 Woo the bloody carnival.
 Horrid ravens, shouting ravens,
 Who have raised our country's pall,
 Sing ye o'er our nation's fall?
 Divided nation—as of yore
 To be united—*nevermore!*

IV.

Blood shall flow by hand of brethren
 Over this once peaceful land;
 Northern men against the Southern
 Hurling death—from hand to hand
 The horrid shafts of death shall fly.
 Who can tell our country's woe,
 Following the battle cry?
 Horrid ravens, one and all,
 Ye have raised our country's pall,
 Ye have caused our nation's fall!
 Divided nation—as of yore
 To be united—*nevermore!*

V.

Vaunting ravens, desolation
 Speaks to our divided nation
 Through your hell-invented words;
 Words that rise o'er freedom's falling,
 Like the haunting, scul-appalling
 Cry of craven carrion-birds.
 Freedom dies—the feast awaits thee!
 Whet your beaks! death ever sates thee!
 Horrid ravens, boasting ravens,
 Liberty's dead form awaits thee!
 Beloved nation!—as of yore
 To be united—*nevermore!*

LINCOLN AND COL. WOLFORD.

WE publish the following correspondence between Mr. Lincoln and Colonel Wolford, of Kentucky, that it may be preserved in the columns of THE OLD GUARD, to be on record for future reading. Colonel Wolford was thrown into a bastille for criticizing Lincoln's despotism. We have only space for a portion of Col. Wolford's letter ; but sufficient is given to show the virtuous heart of the man :

LETTER FROM MR. LINCOLN.

"EXECUTIVE MANSION,
"WASHINGTON, July 17, 1864. }
"Colonel Frank Wolford.

"MY DEAR SIR: By this mail I send to Hon. John Speed a blank parole in duplicate, which, if you choose, you can sign and be discharged. He will call upon you. I enclose a printed copy of the letter I read to you the last day you were with me, and which I shall be pleased for you to look over.

"Very respectfully,

"A. LINCOLN."

The blank parole mentioned in this note was as follows :

"July, 1864.

"I hereby pledge my honor that I will neither do nor say anything which will directly or indirectly tend to hinder, delay, or embarrass the employment and use of colored persons as soldiers, seamen, or otherwise, in the suppression of the existing rebellion, so long as the United States government chooses to employ and use them."

This document in blank bore the following indorsement :

"Col. Frank Wolford is discharged from his parole, given me July 7, 1864, and allowed to go at large upon the condition of the parole by him signed on the other side of this paper.

"A. LINCOLN."

LETTER OF COL. WOLFORD.

"LOUISVILLE, Ky., July 30, 1864.

"To Abraham Lincoln, President of the United States :

"SIR: I have the honor to acknowledge the receipt of your letter promising to me a discharge from an arrest in many ways vexatious and inconvenient, upon my signing a parole, whereby I am to pledge my honor that I will neither do nor say anything which will either directly or indirectly tend to hinder, delay or embarrass the employment and use of colored persons as soldiers, seamen, or otherwise, in the suppression of the rebellion, so long as the United States government chooses to employ and use them.

"In answer to this proposal, I have frankly to say, that I cannot bargain for my liberty and the exercise of my rights as a freeman on any such terms. I have committed no crime. I have broken no law of my country or of my State. I have not violated any military order or any of the usages of war. No act or word of mine has ever given encouragement to the enemy. I have no sympathy with the rebellion. All my sympathies are with,

and all my hopes are for, my country. The triumph of the national arms, the preservation of the Union, the maintenance of the Constitution, the restoration of the supremacy of the law over all the States, and the perpetuation of civil and religious liberty, are the objects most dear to my heart. I may say, without presumption, that I have done more to enlist white men in the army of the Union than any other man in the State of Kentucky. I have done nothing to hinder the enlistment even of negroes, because I do not associate with them, and have no influence over them.

"You, Mr. President, if you will excuse the bluntness of a soldier, by an exercise of arbitrary power, have caused me to be arrested and held in

confinement contrary to law, not for the good of our common country, but to increase the chances of your election to the Presidency, and otherwise to serve the purposes of the political party whose candidate you are. And now you ask me to stultify myself, by signing a pledge whereby I shall virtually admit your right to arrest me, and virtually support you in deterring other men from criticising the policy of your administration. No, sir, much as I love liberty, I will fester in a prison, or die on a gibbet, before I will agree to any terms that do not abandon all charges against me, and fully acknowledge my innocence.

* * * * *

"FRANK WOLFORD."

MAYOR GUNTHER AND THE ABOLITION WAR.

THE Common Council of New York city, as if moved by a secret wish to lend a helping hand to Mr. Lincoln, passed a resolution for a grand demonstration and illumination, by way of celebrating the late victories of Mr. Lincoln's arms. Mayor Gunther, well knowing that the whole thing was a cunning electioneering dodge of Lincoln's friends, returned the resolution without his signature. For this act Mayor Gunther has been terribly abused by the Abolition papers, and by some so-called Democratic papers, which are in heart in the interest of the Abolitionists. The New York *World* denounces the Mayor as a fool for his virtuous and manly course.

It is not often that we find a Mayor's message that is worth perusing in THE OLD GUARD, but this one is such an exception to the general rule of like documents, that we give it entire. It will probably impress the dull intellects of some people with the fact that, in supporting Gen. McClellan, the true Democracy have not, and will not, relinquish an iota of their principles :

"MAYOR'S OFFICE, }

"New York, Sept. 29, 1864. }

"To the Hon. the Common Council :

"GENTLEMEN : Your resolution of the 20th instant, appointing 'a Committee of five from each Board, for the purpose of making the necessary arrangements to cause the various public

buildings to be illuminated, in honor of the recent victories on land and sea,' is returned unapproved.

"I might acquiesce in your response to an appeal of your fellow-citizens, who might desire to give an expression to their feelings respecting these victories, but I must decline to comply with your request to issue a proclamation to the citizens, generally, to join in such an illumination for various reasons, which I will briefly state.

"1st. If I should issue such a proclamation, there are many citizens who would be denounced as disloyal it, through want of opportunity, or inclination, or of means, they failed to comply with the recommendation.

"2d. By those in authority, they are not claimed as Union victories, but as the result of the Emancipation Proclamation, as announced in the 'To whom it may Concern' manifesto.

3d. It is asserted that the new policy of the Administration will give us a succession victories. If this is the case, your honorable body will be called upon to illuminate every fortnight, and if the papers in the employ of the Administration, which daily parade 'the defeat of the rebels,' are to be believed, three times a week.

"I yield to no man in my attachment to 'the Union as it was and the Constitution as it is,' but as the President demands of the Southern people to abandon the rights which the Constitution confers, I do not see how those who have always held that the Federal Government has nothing to do with the domestic institutions of the States can be expected to rejoice over victories which, whatever they may be, surely are not Union victories.

"If these victories were to unite the States, and were a sure harbinger of peace, I would be pleased if I could issue such a proclamation as would induce the poorest citizen to part with his last mite for the purchase of a single tallow candle to celebrate the event.

"4th. It has been the immemorial custom of mankind, in all ages and climes, to abstain from rejoicings over victories gained in civil wars, and such has been the practice thus far during the present strife, which has distracted our once happy Union. The only effect of departing from this usage, sanctioned alike by humanity and sound policy, will be to acknowledge, by such exhibitions, that these are victories over aliens and enemies, and that there is no hope of securing peace on the basis of the Federal Union. This hope, in common with a large portion of our fellow-citizens, I am not prepared to abandon.

"You are aware that here is the essential difference between the two parties now contending for political mastery in the Northern States. One of these declares that no terms can be offered 'except such as may be based upon an unconditional surrender' of the rights of States, and the other maintains that 'peace may be restored on the basis of the Federal Union.'

"Taking into consideration that a canvass is now in progress, of the most exciting character, I am forced to regard the proposed demonstration as one of a political nature, and according to the rule which I laid down for my guidance on entering upon the duties of Mayor, I cannot give it my official endorsement.

"C. GODFREY GUNTHER, Mayor."

EDITOR'S TABLE.

-It looks as though there was an uprising among the people, which must result in the utter route of Lincoln at the polls ; but still we are not over sanguine. So sudden a conversion of a people so stultified, so smitten with madness as this people has been for four years, is hardly to be expected. The minds of men have been so narrowed to personal and selfish regards alone, that it will be a miracle if they so speedily emerge from the stupidity that enthalls them. Degenerate sons of a noble ancestry, can they be so easily and so soon redeemed? Will their sentiments, which are debased from the love of liberty, and from zeal for the honor and prosperity of their country, to an abject submission, and to a rapacious eagerness after plunder and revenge, be so quickly elevated? Our hopes, rather than our judgment, incline us to believe it. A people who could support such a war as Lincoln has been waging for four years, must not be expected, very suddenly, to be cured of their mental and moral madness. The misfortune is, that a majority of even Democratic editors have, to a greater or less extent, lent themselves to the demoralizing mania of the war. The whole people have been steeped in delusion. They have been stupefied with lies. But, though not over sanguine of immediate redemption, we have no doubts of the final issue. We have never believed that the Lincoln conspiracy would permanently succeed. We cannot believe that the noble spirit which has preserved liberty in one corner of the world for nearly a century, can be crushed out in four years, or eight years. It is not possible. Nations are not as mortal as men ; they are not so soon born ; they do not so easily die. No ; we shall be saved, even though it is as by fire. Defeat now should not discourage us. We have been a long time coming down to this point of depravation ; and the progress from confirmed habits of evil is often more slow than the progress to them. If we have lost the liberty our fathers gave us, we may have to get it back through a struggle as fierce and bloody

and glorious as theirs ; but we shall get it back.

—Bishop Hopkins hopes that the political prostitution of the pulpits has reached its depths. For the sake of religion and humanity, we hope so too. But alas! is it not more to be wished than to be hoped that the contamination should spread no further than the leprous race who carry on their skins, exposed to public sight, the scabs and blotches of their distemper? A majority of ministers preach corruption aloud, and constantly, like so many impudent missionaries of vice. It will require another generation to purge the pulpits of the demoralizing contagion. The only present remedy is for Democrats to withhold every dollar's support to Abolition parsons. In that way their pernicious tongues may be silenced, if their polluted hearts cannot be cleansed,

—The editor of the *Trenton Gazette* says, "nobody cares a louse for what these traitorous Copperheads say." A Democratic editor thinks this is "not elegant." But he must confess that it is natural. The editor of the *Gazette*, like all shallow people, babbles of what is most running in his head.

—Mr. Lincoln professes to an admiring clergyman that he "will submit to any sacrifice for the good of the country." Then let him submit himself to be hanged without delay.

—Our advice to a very talented lady who has the misfortune to be bitten by the mania of Abolitionism, and who is almost persuaded to lecture for the benefit of its disciples, is to keep out of their councils and their company altogether. Though she enters their service as pure and clean as an angel, they will make her dirtier and filthier than even Gulliver among the Yahoos.

—In speaking of Grant's present army, Mr Lincoln says, "nearly all the old army of the Potomac have gone home." Yes, alas! they have gone to their *long home*, and the mourners go about the States. The same

is true of Grant's own army; for, since he crossed the Rapidan, he has lost more even than the total number with which he started. In the first six days of his campaign he lost over 70,000—more than the entire force with which Lee met him.

—Shakespeare makes King Richard offer his kingdom for a horse. We are tempted to offer a Republic for a man—for a genuine man. One such man might save us. We have millions of politicians and "patriots," but no *man*. The country, for the want of a man, is as badly off as the Priestess of Pirapus, who, according to Petronius, declared: *Utiq;ue nostra regio tam possis deum quam hominem invenire*—that is, "certainly our part the town abounds so with deities, that you may sooner find a god than a man." The case of our country is similar. We can sooner find a million of deified "patriots" than one genuine, earnest, honest man. It is manhood we want—pluck! courage! but it is not here. Politics has eaten out the heart of manhood. We are a nation of politicians, and therefore a nation of knaves. What we need to be saved from, is from politicians. Abolitionism, disunionism, and a hundred other devilisms, all come of politicians.

—The London *Times* thinks that our Generals have not improved much in three years' practice. Perhaps they have not really *practiced*. Cicero says, "neither physicians nor generals, though they may have drawn their precepts from books, can ever attain to any thing great without use and practice." In these three years the most of our generals have practiced very little the art of legitimate warfare. They have made themselves far greater experts in the art of stealing negroes and spoons than in the art of legitimate war.

—A German tragic writer once damned his play and his reputation by representing Scipio very jocosely smoking a pipe of tobacco upon the stage, and drinking a pot of beer, whilst he was meditating on the issue of the great battle of Zama against Hanibal, which was to decide the fate of Carthage. It was held to be a libel on Scipio. But if any dramatic author ever attempts to represent Lincoln on the stage, to be historically correct, he must picture him, on the eve of the most dreadful battles, as asking his officers to sing

negro songs, or himself cracking vulgar jokes, or telling the most obscene stories. To give him the manners of a Christian gentleman on such grave occasions, would be as false to history as to represent Scipio as merrily drinking beer on such an occasion.

—The press of the whole country reeks with the examples of Lincoln's low and obscene jokes. No man in any responsible office ever stooped so low before. He is the nation's buffoon. His whole administration is a play which would be properly named "*He stoops to conquer*." His only thought of success is to appeal to the tastes of the low, the obscene, and the profane.

—Mr. Seward talks of "the great lesson of the accession of Cromwell and Napoleon to power." So it seems that he is studying that business. It was the army, an army of sectarian fanatics, that gave power to Cromwell. It was the people who gave the empire to Napoleon. The power which Cromwell seized he dared not ask the nation to sanction. Like Lincoln and Seward, he conducted every thing by stealth, craft, and soldiers. Napoleon had the confidence and love of his people, whom he ever treated with frankness, and was their leader more than their master. Seward and Lincoln will find no sympathy with Napoleon, from the fact that they are intellectually and morally incapable of appreciating the philosophy of his success and power. The narrow and intolerant puritan, Cromwell, is far more the man of their heart. Cromwell's fanaticism was only triumphant for a short space. His work soon fell to pieces. It is a good lesson for Mr. Seward to study—full of instruction and full of warning. Every page of it says to Lincoln and Seward, *Take heed to your ways! You stand on slippery paths.*

—In a late after dinner speech Mr. Lincoln said: "The Constitution is my first love." The old brute, he has *violated* it a thousand times.

—Bishop Hoadly said, in 1711, "This judgment may stand good, that there cannot be a right to government, properly so called, without the consent and agreement of the community and society which is to be governed." This is the precise doctrine of our Declaration of Independence, proclaimed by

a distinguished English Bishop sixty-five years before the date of that immortal instrument. Our fathers poured out their blood for this principle. We take the part in this struggle that England took in 1776. By plunder, fire, and the sword, we are, like England in 1776, trying to force the southern people to remain in an embrace we ourselves have taught them to hate. This is the simple truth of the matter. We try to hide it. Equivocate, squirm, evade and lie about it; but that is the judgment of truth—will be the eternal verdict of history. Will none be good enough to point out in what respect the position of the North is more honorable than that of England in the Revolutionary War? If any man will attempt it, we will show that our present attitude is really more dishonorable than that of England in the battle of the Revolution. Any ignoramus can abuse us; but who will venture to argue this matter?

—A Massachusetts paper boasts that “the early record of New England, in relation to slavery, is far better than that of the other colonies.” That is not true. The slave codes of New England not only divided negro families, but sent Indian women and boys to the West Indies, and sold them for slaves. They imported the product of slave labor, distilled the molasses into rum, exported the rum to Africa, purchased slaves with it, transported them to the West Indies, and to the Southern States, and sold them at private and public sale. By law they authorized in every place a public *whipper*, who received a salary of three shillings for every slave whipped. See Ancient Charters Mass., ch. 12 Trumb. Col. Rec. 332; Trumb. Conn., vol. 1, 85. Archives Conn. Laws of Conn. and Mass., and Rhode Island.

—Gov. Pierrpont again charges Gen. Butler with theft. This time the “beast” stole a dozen bottles of brandy from a private sideboard, and a silver tea-caddy from an old lady, and appropriated to himself the orphans’ fund of the city of Norfolk. Butler answers all these charges of theft by calling Gov. Pierrpont “disloyal.”

—One hundred clerks of Barney’s appointment have been removed from the New York Custom House for dishonesty. What a den

of thieves it was! But where among the genuine “Wide-Awakes” can better be found?

—A Republican paper, in praising the New York Lincoln ratification meeting, calls it a “monstrous meeting.” Yes, *monstrous* indeed—an amalgamation of contractors, shoddy thieves, negroes, white men, and miscegenationists of all shades of color.

—The President’s Washington organ says, “The Republican party is striving to bring peace to the country.” *Striving* is good; for the peace they seek is only that which follows fatal *strife*. It is the peace of the graveyard. The peace the Democracy seeks is that of the living—of a happy, prosperous, and re-united country.

—Fremont perceiving that he couldn’t *draw*, has *withdrawn*.

—On hearing of Sheridan’s victory, the President rubbed his grizzly, bony hands, and exclaimed, “I guess that Jeff. Davis will begin to conclude that he has sold his shadow to the devil.” Ah, Mr. Lincoln, if you had sold only your *shadow* to the devil!

—The President’s organ at Washington abuses Gen. McClellan for not throwing up his commission since he has become a candidate for the Presidency. Neither Gen. Scott nor Gen. Taylor did so when they were candidates for the Presidency. We see no occasion for Gen. McClellan to throw up his commission because he expects to be advanced to a higher one.

—The papers tell us that James T. Brady is out for McClellan. If that is so, it is worth just one vote for McClellan, provided the Republicans do not buy him back again before election.

—We notice that some of our Democratic cotemporaries have entered with great zeal into the business of defending Gen. McClellan from all the lies of the Republican papers. It is a herculean task. *Æneas* defending himself from the chimeras of hell was nothing to it. It is a needless task, because nobody believes a word of all these lies. They do harm only to Lincoln and his cause. The more the rascals lie, the better for McClellan. Attempting to defend Gen. McClellan from such assaults is a boyish bu-

siness. Few men, we think, will feel the necessity, or see the wisdom of it.

—Montgomery Blair was recently in New York. Why did not the publishers whose papers were thrown out of the mails by his order bring him before the Courts to answer for his crime? for the laws make his acts a *crime*. Is he to escape punishment? Are the laws not to be vindicated? Are the innocent people whose property has been destroyed by him to have no redress? In every town in the United States where papers have been thrown out of the mails by his order, he should be arrested whenever he puts himself within the jurisdiction of their Courts. So of Seward; he should never be allowed to pass through a town where there is a victim of his illegal arrests, without being hauled up before the Courts to answer for his crimes. The same of Lincoln. When he comes within the jurisdiction of a State Court, where there is a victim of his crimes, he should be dragged before the bar of justice. So of every one of his Provost Marshals, or lesser satraps, who have executed his illegal orders.

—A cotemporary correctly says, "no nation ever boasted so much of freedom as we." Yes, we *boasted*, but we cannot *boast*. There is no present tense for us. Our freedom is historical. Whether we have a future tense or not, depends upon the virtue of our good right arms.

—The following letter is proof that Mr. Lincoln is working to have none but his own tools elected to the next Congress:

"EXECUTIVE MANSION,
"WASHINGTON, August 16, 1864. }

"Hon. Ward Hunt:

"DEAR SIR: Yours of the 9th inst. was duly received, and submitted to Secretary Seward. He makes a response, which I herewith inclose to you. I add for myself that I am for the regular nominee in all cases, and that no one could be more satisfactory to me as the nominee in that district than Mr. Conkling. I do not mean to say there are not others as good as he in the district; but I think him to be at least good enough.

"Yours truly,

"A. LINCOLN."

A member of Congress is Constitutionally

the representative of the people of his State; but Mr. Lincoln is attempting to revolutionize all this, and make him the representative of his own dogmas and interests. In a word, he is trying to destroy the system of government established by our fathers. How much longer must it be before the people will seize the mountebank despot by the throat and choak him out of his revolutionary schemes? History will one day vindicate the patriotism and the wisdom of this question. Now this question frightens cowards and enrages traitors, but the time will come when the cowards and traitors, who now howl at us, will howl more piteously under the smartings of a universal public scorn, for their dastard part in allowing the destruction of American liberty. History, inexorable history, will vindicate our course, and more than revenge us for the load we have had to carry in the face of such ignorance, cowardice and despotism. We repeat the question—how much longer will the people shrink, with dastardly submission, to the hand of usurpation?

—Gen. John A. Dix would have taken the Democratic nomination for President if it had been forced upon him; but nobody seeing it, except himself, he would have taken the Republican nomination for Governor of New York. Nobody seeing that, would he accept a suit of old clothes? Of course we mean a military suit, and a feather.

A man writes to us that he "wishes to come to New York to *undertake* some business which will pay well." Well, we should think the *undertaker's* business would pay the best of anything during the remainder of Mr. Lincoln's administration.

NOTE TO SUBSCRIBERS.

We send THE OLD GUARD out this month without an engraving, because it has been impossible to furnish one without keeping it back till the middle of the month. We have in the hands of the engraver a splendid likeness of George H. Pendleton, which will appear in the November number. There are so many engravings and lithographs of General McClellan already extant, that it is not thought important to make another.